

## Formal Review Process of Title 246 WAC

**Reviewer:** Michael McNickle  
**Date:** July 14, 2014

**A summary of Chapter 246-203-200 WAC, Disease producing organisms for rodent extermination forbidden**

**Estimated Start Date:** July 1, 2014  
**Start Date:** July 2, 2014  
**Estimated Completion Date:** July 3, 2014  
**Completion Date:** July 3, 2014

**Future Review Date:** July 2019

**Next Steps:**

**Current Status of Review:** Completed

**1. Need – is there a need for this rule?**

- Is the rule necessary to comply with authorizing statute? **YES**
- Is the rule necessary to receive federal funding? **NO**
- What problem/condition is the rule intended to address?  
Explain: This rule expressly prohibits the use of viruses and bacteria that are either currently in existence or created for the purpose of exterminating rats.

**2. Reasonable and Clear – is this rule clear, concise and reasonable?**

- Is the rule written and organized in a clear and concise manner and is easily understood? **YES**
- Does the rule establish different requirements for different licensees or stakeholders? For example, does it establish different requirements for the private and public sector or large and small businesses? If so, is this reasonable? Explain: **NO**

**3. Authority and Intent – Does the rule have statutory authority or meet the legislative intent?**

- Is the statutory authority clear? **YES**
- Is the rule consistent with the legislative intent? **YES**

# Formal Review Process of Title 246 WAC

## 4. Stakeholder Coordination – How was the review coordinated? Internal/External/Both

- Was the review done:
  - By SBOH staff and external stakeholders
- Document how the review was done and what tools or methods were used. For example, survey, meetings with stakeholders, LEAN, etc? SBOH staff discussed via emails the need to revise the rule with the SBOH Environmental Health subcommittee chair, the Washington State Pest Management Association, the Washington State Department of Agriculture and the Washington State Department of Health. The Washington State Public Health Veterinarian was also contacted.

## 5. Streamlining Identified – Can this rule be streamlined? Or are there other streamlining opportunities available?

- Are there opportunities to eliminate a rule or a portion of a rule based on:
  - Outdated information or processes? NO
  - Sunset of statutory language? NO
  - Conflicting or unnecessary information? NO
  - Redundancy with other state or federal regulations? NO
  - Legislative changes that have occurred since the rule was created? NO
  - The objective can be achieved without it? NO
- Can the rule be revised to make it easier to understand or reduce ambiguity? NO
- Are there other opportunities to streamline efforts? For example, update information on the web, eliminate internal review processes, etc. NO

## 6. Reporting Requirements -

- Does the rule require individuals or entities to report information to the Board or Department of Health? NO
- Have the reporting requirements been streamlined? N/A

## 7. Achieved Intended Results –

- Does the rule achieve the results originally intended? YES

## 8. Staff Conclusions –

- Does the rule need to be repealed? NO
- Can the rule be retained without changes? YES
- Does the rule need to be amended? NO

## Formal Review Process of Title 246 WAC

Explain conclusion:

This rule prohibits the use of viruses and bacteria (existing and novel) for exterminating rats. At this time, using viruses and bacteria for exterminating rats is not supported by the SBOH members, statewide public health and pesticide management programs and the pest extermination industry. In fact, as there are no commercially-available products that utilize this technology. Therefore the rule has been effective in preventing the development, and subsequent use, of this technology.